

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 358

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Linda M. Lopez

AN ACT

**RELATING TO CHILD CARE; CREATING THE CHILD CARE FACILITY
REVOLVING LOAN FUND; AUTHORIZING LOANS FOR LICENSED CHILD CARE
FACILITIES TO MAKE NECESSARY IMPROVEMENTS FOR HEALTH AND
SAFETY; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE. -- This act may be cited as the
"Child Care Facility Loan Act".

Section 2. PURPOSE. -- The purpose of the Child Care
Facility Loan Act is to support the physical improvement,
repair, safety and maintenance of licensed child care
facilities throughout New Mexico by providing long-term, low-
interest funding through a revolving loan fund so as to ensure
availability of healthy and safe teaching environments.

Section 3. DEFINITIONS. -- As used in the Child Care

. 142850. 1GR

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 Facility Loan Act:

2 A. "department" means the children, youth and
3 families department;

4 B. "facility" means a child care facility operated
5 by a provider, including both family home-based and
6 center-based programs, licensed by the department to provide
7 care to infants, toddlers and children;

8 C. "fund" means the child care facility revolving
9 loan fund; and

10 D. "provider" means a person licensed by the
11 department to provide child care to infants, toddlers and
12 children pursuant to Section 9-2A-8 NMSA 1978.

13 Section 4. FUND CREATED--ADMINISTRATION.--

14 A. The "child care facility revolving loan fund" is
15 created in the state treasury to provide low-interest, long-
16 term loans to providers to make health and safety improvements
17 in their facilities. The fund shall consist of appropriations,
18 gifts, grants and donations to the fund, which shall be
19 invested as other state funds. Money in the fund shall not
20 revert and is appropriated to the department, which shall
21 administer the fund for the purposes of the Child Care Facility
22 Loan Act. Expenditures from the fund shall be made upon
23 warrants of the secretary of finance and administration
24 pursuant to vouchers signed by the secretary of children, youth
25 and families or his authorized representative.

. 142850. 1GR

underscored material = new
[bracketed material] = delete

1 B. Money in the fund shall be used to make loans to
2 providers that demonstrate the need to make health and safety
3 improvements, including space expansion, in order to maintain
4 an adequate and appropriate environment for their clients.

5 Loans from the fund are to be made at the very lowest possible
6 interest rates for the longest amount of time in order to allow
7 the providers the maximum opportunity to maintain the business
8 while repaying the loan.

9 C. No more than twenty percent of the fund may be
10 loaned to a single provider in a single loan. A provider that
11 has received a loan from the fund in the immediately preceding
12 five years or that has not completed repayment of a previous
13 loan from the fund is ineligible for a new loan. The
14 department shall give priority for loans to facilities of
15 providers that serve proportionately high numbers of state-
16 subsidized clients and low-income families.

17 Section 5. APPROPRIATION.--Two hundred fifty thousand
18 dollars (\$250,000) is appropriated from the general fund to the
19 child care facility revolving loan fund for expenditure in
20 fiscal year 2003 and subsequent fiscal years to carry out the
21 provisions of the Child Care Facility Loan Act. Any unexpended
22 or unencumbered balance remaining at the end of a fiscal year
23 shall not revert to the general fund.

24 Section 6. EMERGENCY.--It is necessary for the public
25 peace, health and safety that this act take effect immediately.

. 142850. 1GR